

EXHIBIT C

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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

MARY L. SMITH, individually and on behalf
of all others similarly situated,

Plaintiff,

v.

GOOGLE, LLC,

Defendant.

Case No.: 5:23-cv-03527-PCP
(Consol. w/ 5:23-cv-04191-BLF)

**DEFENDANT GOOGLE LLC'S
RESPONSES TO PLAINTIFFS'
SECOND SET OF DOCUMENT
REQUESTS**

Complaint Filed: 7/14/2023
Trial Date: N/A

*Hon. P. Casey Pitts, District Judge
San Jose Courthouse, Ctrm. 8 – 4th Floor*

1 **PROPOUNDING PARTY: PLAINTIFFS and THE PROPOSED CLASS**

2 **RESPONDING PARTY: DEFENDANT Google LLC**

3 **SET NO.: TWO**

4 Pursuant to Rules 26 and 34 of the Federal Rules of Civil Procedure and the Civil Local Rules
5 of the United States District Court for the Northern District of California, Defendant Google LLC
6 hereby objects and responds to Plaintiffs MARY SMITH, et al.'s ("Plaintiffs") Second Set of
7 Documents Requests (each a "Request" and collectively the "Requests"), Nos. 7–39.

8 **GENERAL STATEMENT AND GENERAL OBJECTIONS**

9 1. The parties are currently negotiating a protocol for the production of electronically
10 stored information ("ESI Protocol"). Where Google has indicated it will produce documents in
11 response to any Request, such production will occur only after the execution and entry of the
12 mutually agreed ESI protocol.

13 2. Each of Google's responses is subject to, and incorporates, the following general
14 statement and objections. Google specifically incorporates each of these general objections into its
15 responses to each of Plaintiffs' Requests, whether or not each such general objection is expressly
16 referred to in Google's responses to a specific Request.

17 3. Google objects to the instructions, definitions, and Requests to the extent that they are
18 broader than, or attempt to impose conditions, obligations, or duties beyond those required by the
19 Federal Rules, the Local Rules, or any other applicable authority. Google's responses will be
20 provided in accordance with the Federal Rules, the Local Rules, and any other applicable authority.

21 4. Google objects to any Request to the extent that it seeks information protected from
22 discovery by: (1) the attorney-client privilege; (b) the attorney work-product doctrine; (c) the
23 common-interest or and joint-defense doctrines; and/or (d) any other applicable privilege, doctrine,
24 immunity or protection from disclosure afforded by state or federal law. The inadvertent production
25 by Google of information protected from disclosure by any privilege or doctrine shall not constitute
26 a waiver by Google of such protections.

27 5. Google objects to any Request to the extent that it is overbroad, unduly burdensome,
28 compound, and/or oppressive. In particular, Google objects to any Request to the extent that it calls

1 for information not relevant to the claims or defenses of the parties, or proportional to the needs of
2 the case.

3 6. Google objects to each Request to the extent it is vague, ambiguous, overly broad, or
4 unduly burdensome as to time frame.

5 7. Google objects to the instructions, definitions, and Requests to the extent they seek or
6 purport to require the identification of “any,” “all,” “each,” or “every” document, communication,
7 person, entity, or other thing regarding or relating to a particular subject matter, as unduly
8 burdensome, overbroad, and not proportional to the needs of the action.

9 8. Google objects to any Request to the extent that it purports to attribute any special or
10 unusual meaning to any term or phrase.

11 9. Google objects to the Requests to the extent they seek confidential, proprietary, or
12 trade secret information of third parties.

13 10. Google objects to any instruction or Request to the extent that it would impose a duty
14 on Google to undertake a search for, or an evaluation of, information, documents, or things for
15 which Plaintiffs are equally able to search for and evaluate, including documents that are publicly
16 available, in the possession of third parties, and/or are already in the possession of Plaintiffs.

17 11. Google’s objections and responses to these Requests are not intended to waive or
18 prejudice any objections Google may assert now or in the future, including, without limitation,
19 objections as to the relevance of the subject matter of any Request, or as to the admissibility of any
20 information or category of information at trial or in any other proceedings. Google expressly
21 reserves any and all rights and privileges under the Federal Rules of Civil Procedure, the Federal
22 Rules of Evidence, the Local Rules, and any other applicable laws or rules, and the failure to assert
23 such rights and privileges or the inadvertent disclosure by Google of information protected by such
24 rights and privileges shall not constitute a waiver thereof, either with respect to these responses or
25 with respect to any future discovery responses or objections.

26 12. Google objects to Plaintiffs’ definitions, instructions, and Requests to the extent that
27 they require Google to search, review, and produce emails or other electronic documents outside
28

1 the scope of, or otherwise conflict with, the Federal Rules, Local Rules, or any other relevant rules
2 or Court orders governing this Action.

3 13. Google objects to Plaintiffs' "Definitions" and to any Request to the extent they
4 purport to give meaning or legal significance to a document, fact, or purported fact whose meaning
5 or significance is subject to dispute between the parties. Google's responses to each of Plaintiffs'
6 Requests shall not constitute an admission or concession to any of the definitions, terms, and phrases
7 used therein. By responding to any Requests, Google does not concede the relevance or
8 admissibility of any of the information provided.

9 14. Google has responded to the Requests as it interprets and understands them. If
10 Plaintiffs subsequently assert an interpretation of any Request that differs from Google's
11 understanding of that Requests, Google reserves the right to supplement its objections and/or
12 responses.

13 15. Discovery in this matter is ongoing. Accordingly, Google reserves the right to
14 change, amend, or supplement any or all of the matters contained and/or documents produced
15 pursuant to these responses as Google's investigation continues, additional facts are ascertained,
16 analyses are made, research is completed, and additional documents are subsequently discovered,
17 collected, and/or reviewed.

18 **OBJECTIONS TO DEFINITIONS**

19 1. Google objects to the definition of "CLASS PERIOD" as vague and ambiguous,
20 overbroad, unduly burdensome, and disproportionate to the needs of this Action. Google further
21 objects to the definition to the extent it exceeds the applicable statutes of limitation for the claims
22 alleged in Plaintiffs' Consolidated Class Action Complaint ("Complaint"). Google further
23 incorporates by reference its objections below as to the terms "YOU," "WEBSITE VISITOR
24 DATA," and "SUBJECT WEBSITES." Google is willing to meet and confer regarding a relevant
25 time period that is proportional to the needs of this Action.

26 2. Google objects to the definitions of "GOOGLE," "YOU," and "YOUR" to the extent
27 that it purports to include forms of information not discoverable under the Federal Rules, the Local
28 Rules, or any other applicable authority. Google further objects to the extent it seeks information

1 or refers to documents controlled by individuals who are not parties to this litigation and/or which
2 are not within Google's control. Google construes "GOOGLE," "YOU," and "YOUR," to mean
3 Google LLC.

4 3. Google objects to the definition of "GOOGLE ANALYTICS" as vague and
5 ambiguous, overbroad, and unduly burdensome. Google further objects to the definition to the
6 extent it seeks to include Google products that are not at issue in Plaintiff's Complaint, including
7 Google Tag Manager and Google Analytics for Firebase, which are completely separate
8 technologies. Google further objects as vague and ambiguous as to the undefined terms "any other
9 related technology," "transmission," and "data." Google further incorporates by reference its
10 objections to definitions of "SUBJECT WEBSITES," "GOOGLE," "GOOGLE ANALYTICS FOR
11 FIREBASE," and "GOOGLE TAG MANAGER." Google construes the term "GOOGLE
12 ANALYTICS" as the analytics tool called Google Analytics offered by Google that was used by
13 the third-party developers, TaxAct, TaxSlayer, and H&R Block (together, the "Developers") on
14 their respective websites, as specifically identified in Plaintiff's Complaint.

15 4. Google objects to the definition of "GOOGLE ANALYTICS FOR FIREBASE" as
16 vague and ambiguous, overbroad, and unduly burdensome. Google further objects to the definition
17 to the extent it seeks to include a Google product that is not at issue in Plaintiffs' Complaint. Google
18 further objects as vague and ambiguous as to the undefined terms "mobile applications," "user
19 interactions," "event tracking," "other data points" and "ecosystem."

20 5. Google objects to the definition of "GOOGLE TAG MANAGER" as vague and
21 ambiguous, overbroad, and unduly burdensome. Google further objects to the definition to the
22 extent it seeks to include a Google product that is not at issue in Plaintiffs' Complaint. Google
23 further objects as vague and ambiguous as to the undefined terms "Tag Manager 360," and "other
24 tag manager program, application, or software."

25 6. Google objects to the definition of "PERSONAL INFORMATION" as vague and
26 ambiguous, overbroad, and unduly burdensome. Google further objects to the definition as seeking
27 irrelevant information and is thus disproportionate to the needs of the Action to the extent it seeks
28 to include information other than financial and/or tax information, and information belonging to

1 individuals other than putative class members. Google also objects to the definition as vague and
2 ambiguous to the extent it includes information “capable of being associated with, or could
3 reasonably be linked, directly or indirectly with a particular Person.” Google construes the term
4 “PERSONAL INFORMATION” to mean financial or tax information. Google’s construction of the
5 term “PERSONAL INFORMATION” herein is not a concession that any information Google
6 received via the use of Google Analytics by H&R Block, TaxAct, and TaxSlayer was personally
7 identifiable.

8 7. Google objects to the definition of “SUBJECT WEBSITES” as vague and ambiguous,
9 overbroad, and unduly burdensome. Google further objects to the definition as seeking irrelevant
10 information and thus disproportionate to the needs of the Action to the extent it seeks to include
11 “any website” that customers of H&R Block, TaxAct, and TaxSlayer can use to “prepare and/or file
12 their taxes online” regardless of whether such websites incorporated Google Analytics, were in fact
13 used by any Plaintiff, or involved the transmission of any information. Google also objects to the
14 definition’s inclusion of “Ramsay Solutions,” as seeking irrelevant information that is
15 disproportionate to the needs of the Action. Google construes the term “SUBJECT WEBSITES”
16 as the Developers’ websites on which the Developers incorporated Google Analytics and that allow
17 the Developers’ users to enter their financial information and file taxes online.

18 8. Google objects to the definition of “WEBSITE VISITOR DATA” as vague and
19 ambiguous, overbroad, unduly burdensome, and disproportionate to the needs of the Action. Google
20 further objects to the definition as incomprehensible, unduly burdensome, and disproportionate to
21 the needs of the Action to the extent it purports to include “all information” about “visitors” and
22 “online tax preparation and tax filings.” Google further incorporates herein its objections to the
23 definitions of “SUBJECT WEBSITES,” “YOU,” “GOOGLE ANALYTICS,” and “GOOGLE TAG
24 MANAGER.” Google is willing to meet and confer regarding the relevant and proportional
25 definition of “WEBSITE VISITOR DATA.”
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RESPONSES TO REQUESTS FOR PRODUCTION OF DOCUMENTS

REQUEST FOR PRODUCTION NO. 7:

The full GOOGLE TAG MANAGER history for each of the SUBJECT WEBSITES, including but not limited to GOOGLE TAG MANAGER history associated with the following GOOGLE ANALYTICS account IDs and/or GOOGLE TAG MANAGER Container IDs:

a. **TaxAct** – GOOGLE ANALYTICS account ID 135425799; GOOGLE TAG MANAGER Container ID: 1656792 (public Container ID: GTM-MJLZSZ).

b. **TaxSlayer** - GOOGLE TAG MANAGER public Container IDs: GTMWWCL2R, G-1RX0C0G9G8.

c. **H&R Block** - GOOGLE TAG MANAGER public Container IDs: GFRQ06CPX4Y, G-ER4WH1W76L, DC-9121585, AW-858419637, AW-986633679, AW-824176236, AW-955953367, AW-106843090.

Ramsey Solutions - GOOGLE TAG MANAGER public Container ID: GTM-5F9XZP3.

RESPONSE TO REQUEST FOR PRODUCTION NO. 7:

Google incorporates its general responses and objections set forth above. Google further objects to this Request on the grounds that (i) it is unduly burdensome, overbroad, and disproportionate to the needs of the Action because it seeks information relating to Google Tag Manager, a technology that is wholly different from Google Analytics and that is not implicated by the allegations in Plaintiffs' Complaint; (ii) it seeks data that are not relevant to any claims or defenses in this Action and thus seeks information outside the scope of permissible discovery; (iii) it presupposes that the Tax Websites used Google Tag Manager; (iv) per Google's August 27, 2024 email to Plaintiffs' counsel, many of the purported "Google Analytics Account IDs" listed in this request are not Google Analytics account IDs, based on Google's investigation to date; (v) it is unduly burdensome, overbroad, and disproportionate to the needs of the Action to the extent that it seeks information that is otherwise obtainable from some other source that is more convenient, less burdensome, or less expensive; and (iv) it is unduly burdensome as to time, including to the extent it seeks information outside the applicable statutes of limitations. Google also objects to this Request

1 to the extent it seeks documents protected by the attorney-client privilege, work-product privilege,
2 and/or other applicable privileges.

3 Subject to the above objections, Google responds that it will not produce any documents in
4 response to this Request as currently presented but will consider a properly tailored request after the
5 parties have met and conferred to discuss this Request.

6 **REQUEST FOR PRODUCTION NO. 8:**

7 All DOCUMENTS and COMMUNICATIONS CONCERNING how GOOGLE TAG
8 MANAGER was implemented, configured and used on the SUBJECT WEBSITES during the
9 CLASS PERIOD, including but not limited to the .JSON files relating to each of the SUBJECT
10 WEBSITES' GOOGLE TAG MANAGER history identified in Request No. 7.

11 **RESPONSE TO REQUEST FOR PRODUCTION NO. 8:**

12 Google incorporates its general responses and objections set forth above. Google further
13 objects to this Request on the grounds that (i) it is vague and ambiguous as to the undefined terms
14 “concerning,” “implemented,” “configured,” and “used”; (ii) it is unduly burdensome, overbroad,
15 and disproportionate to the needs of the Action because it seeks information relating to Google Tag
16 Manager, a technology that is wholly different from Google Analytics and that is not implicated by
17 the allegations in Plaintiffs' Complaint; (iii) it seeks documents that are not relevant to any claims
18 or defenses in this Action and thus seeks documents outside the scope of permissible discovery; and
19 (iv) it is unduly burdensome as to time, including to the extent it seeks information outside the
20 applicable statutes of limitations. Google also objects to this Request to the extent it seeks
21 documents protected by the attorney-client privilege, work-product privilege, and/or other
22 applicable privileges.
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25 Subject to the above objections, Google responds that it will not produce any documents in
26 response to this Request as currently presented but will consider a properly tailored request after the
27 parties have met and conferred to discuss this Request.
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1 **REQUEST FOR PRODUCTION NO. 9:**

2 All DOCUMENTS and COMMUNICATIONS CONCERNING training provided to
3 YOUR employees, and to employees of the SUBJECT WEBSITES, concerning the use of
4 GOOGLE TAG MANAGER, GOOGLE ANALYTICS, GOOGLE ANALYTICS FOR FIREBASE
5 or any other related technologies, in both mobile applications and websites, involved in data
6 collection, processing, or privacy practices, including but not limited to any certifications or
7 acknowledgments from employees that they have completed required data privacy training.

8 **RESPONSE TO REQUEST FOR PRODUCTION NO. 9:**

9 Google incorporates its general responses and objections set forth above. Google further
10 objects to this Request on the grounds that (i) it is vague and ambiguous as to the undefined terms
11 “concerning,” “related technologies,” “mobile applications,” “certifications,” and
12 “acknowledgements”; (ii) it is unduly burdensome, overbroad, and disproportionate to the needs of
13 the Action because it seeks information relating to Google Tag Manager and Google Analytics for
14 Firebase, technologies that are wholly different from Google Analytics and that are not implicated
15 by the allegations in Plaintiffs’ Complaint; (iii) it seeks documents that are not relevant to any claims
16 or defenses in this Action and thus seeks documents outside the scope of permissible discovery
17 because the Complaint does not allege that putative class members or any named plaintiffs used
18 mobile applications when filing their taxes through the Tax Websites; (iv) it is unduly burdensome
19 as to time, including to the extent it seeks information outside the applicable statutes of limitations;
20 and (v) it fails to identify the category of documents requested with reasonable particularity. Google
21 also objects to this Request to the extent it seeks documents protected by the attorney-client
22 privilege, work-product privilege, and/or other applicable privileges.

23 Subject to the above objections, Google responds that it will not produce any documents in
24 response to this Request as currently presented but will consider a properly tailored request after the
25 parties have met and conferred to discuss this Request.

26 **REQUEST FOR PRODUCTION NO. 10:**

27 DOCUMENTS sufficient to show the time period(s) during which GOOGLE TAG
28 MANAGER operated on the SUBJECT WEBSITES.

RESPONSE TO REQUEST FOR PRODUCTION NO. 10:

Google incorporates its general responses and objections set forth above. Google further objects to this Request on the grounds that (i) it is unduly burdensome, overbroad, and disproportionate to the needs of the Action because it seeks information relating to Google Tag Manager, a technology that is wholly different from Google Analytics and that is not implicated by the allegations in Plaintiffs' Complaint; (ii) it presupposes that the Tax Websites utilized Google Tag Manager; (iii) it is unduly burdensome, overbroad, and disproportionate to the needs of the Action to the extent that it seeks information that is otherwise obtainable from some other source that is more convenient, less burdensome, or less expensive; and (iv) it is unduly burdensome as to time, including to the extent it seeks information outside the applicable statutes of limitations. Google also objects to this Request to the extent it seeks documents protected by the attorney-client privilege, work-product privilege, and/or other applicable privileges.

Subject to the above objections, Google responds that it will not produce any documents in response to this Request as currently presented but will consider a properly tailored request after the parties have met and conferred to discuss this Request.

REQUEST FOR PRODUCTION NO. 11:

All financial statements, billing records, and revenue reports related to data collected on the SUBJECT WEBSITES during the CLASS PERIOD through GOOGLE TAG MANAGER, GOOGLE ANALYTICS, or any other related technologies.

RESPONSE TO REQUEST FOR PRODUCTION NO. 11:

Google incorporates its general responses and objections set forth above. Google further objects to this Request on the grounds that (i) it is vague and ambiguous as to the undefined terms "financial statements" "billing records," "revenue reports," and "related technologies"; (ii) it is unduly burdensome, overbroad, and disproportionate to the needs of the Action because it seeks information relating to Google Tag Manager, a technology that is wholly different from Google Analytics and that is not implicated by the allegations in Plaintiffs' Complaint; (iii) it seeks

1 documents that are not relevant to any claims or defenses in this Action and thus seeks documents
2 outside the scope of permissible discovery, particularly insofar as it seeks information related to
3 purported benefits to Google whereas none of the statutes asserted in the operative Complaint allow
4 a disgorgement remedy; (iv) it is unduly burdensome as to time, including to the extent it seeks
5 information outside the applicable statutes of limitations; and (v) it fails to identify the category of
6 documents with reasonable particularity. Google also objects to this Request to the extent it seeks
7 documents protected by the attorney-client privilege, work-product privilege, and/or other
8 applicable privileges.

9 Subject to the above objections, Google responds that it will not produce any documents in
10 response to this Request as currently presented but will consider a properly tailored request after the
11 parties have met and conferred to discuss this Request.

12 **REQUEST FOR PRODUCTION NO. 12**

13 All financial statements, billing records, and revenue reports related to data collected
14 through both mobile applications and websites associated with the SUBJECT WEBSITES during
15 the CLASS PERIOD, including data collected through GOOGLE TAG MANAGER, GOOGLE
16 ANALYTICS, GOOGLE ANALYTICS FOR FIREBASE or any other related technologies.

17 **RESPONSE TO REQUEST FOR PRODUCTION NO. 12:**

18 Google incorporates its general responses and objections set forth above. Google further
19 objects to this Request on the grounds that (i) it is vague and ambiguous as to the undefined terms
20 “financial statements” “billing records,” “revenue reports,” “mobile applications,” and “related
21 technologies”; (ii) it is unduly burdensome, overbroad, and disproportionate to the needs of the
22 Action because it seeks information relating to Google Tag Manager and Google Analytics for
23 Firebase, technologies that are wholly different from Google Analytics and that are not implicated
24 by the allegations in Plaintiffs’ Complaint; (iii) it seeks documents that are not relevant to any claims
25 or defenses in this Action and thus seeks documents outside the scope of permissible discovery
26 because the Complaint does not allege that putative class members or any named plaintiffs used
27 mobile applications when filing their taxes through the Tax Websites, and because it seeks
28 information related to purported benefits to Google whereas none of the statutes asserted in the

operative Complaint allow a disgorgement remedy; (iv) it is unduly burdensome as to time, including to the extent it seeks information outside the applicable statutes of limitations; (v) it fails to identify the category of documents with reasonable particularity; and (vi) it is duplicative of Plaintiffs' Request for Production Set Two Request No. 12. Google also objects to this Request to the extent it seeks documents protected by the attorney-client privilege, work-product privilege, and/or other applicable privileges.

Subject to the above objections, Google responds that it will not produce any documents in response to this Request as currently presented but will consider a properly tailored request after the parties have met and conferred to discuss this Request.

REQUEST FOR PRODUCTION NO. 13:

All DOCUMENTS and COMMUNICATIONS CONCERNING revenue generated by YOU through the sale, licensing, or sharing of PERSONAL INFORMATION with third parties during the CLASS PERIOD, including but not limited to financial statements, contracts, revenue reports, and any associated analysis.

RESPONSE TO REQUEST FOR PRODUCTION NO. 13:

Google incorporates its general responses and objections set forth above. Google further objects to this Request on the grounds that: (i) it is vague and ambiguous as to the undefined terms "concerning," "generated," "sharing," "financial statements," and "associated analysis"; (ii) it is unduly burdensome, overbroad, and disproportionate to the needs of the case because it seeks documents that are not relevant to any claims or defenses in this Action and thus seeks documents outside the scope of permissible discovery, particularly insofar as it seeks information related to purported benefits to Google whereas none of the statutes asserted in the operative Complaint allow a disgorgement remedy; (iii) it presupposes that Google generates revenue through the "sale, licensing, or sharing" of "PERSONAL INFORMATION"; (iv) it is overbroad and unduly burdensome to the extent it seeks "all" documents within an overbroad category of documents with no limitation to the putative class members' personal information, tax information, or the Tax Websites at issue in the Complaint; and (vi) it is overbroad and unduly burdensome as to time, including to the extent it seeks information outside the applicable statute of limitations. Google also

1 objects to this Request to the extent it seeks documents protected by the attorney-client privilege,
2 work-product privilege, and/or other applicable privileges.

3 Subject to the above objections, Google responds that it will not produce any documents in
4 response to this Request as currently presented but will consider a properly tailored request after the
5 parties have met and conferred to discuss this Request.

6 **REQUEST FOR PRODUCTION NO. 14:**

7 All DOCUMENTS and COMMUNICATIONS CONCERNING revenue, profits, and
8 financial benefits generated by YOU from the use of PERSONAL INFORMATION, including but
9 not limited to WEBSITE VISITOR DATA, for advertising purposes during the CLASS PERIOD.
10 This includes, but is not limited to, financial statements, revenue reports, billing records, and any
11 analysis or documentation related to the monetization of PERSONAL INFORMATION through
12 targeted advertising, programmatic advertising, or any other advertising strategies.

13 **RESPONSE TO REQUEST FOR PRODUCTION NO. 14:**

14 Google incorporates its general responses and objections set forth above. Google further
15 objects to this Request on the grounds that: (i) it is vague and ambiguous as to the undefined terms
16 “concerning,” “generated,” “sharing,” “advertising purposes,” “financial statements,” “analysis,”
17 and “documentation”; (ii) it seeks documents that are not relevant to any claims or defenses in this
18 Action and thus seeks documents outside the scope of permissible discovery, particularly insofar as
19 it seeks information related to purported benefits to Google whereas none of the statutes asserted in
20 the operative Complaint allow a disgorgement remedy; (iii) it presupposes that Google generates
21 “revenue, profits, and financial benefits” from the use of “PERSONAL INFORMATION” for
22 advertising purposes; (iv) it is overbroad and unduly burdensome to the extent it seeks “all”
23 documents within an overbroad category of documents with no limitation to the putative class
24 members’ personal information, tax information, or Tax Websites alleged in the Complaint; (v) it
25 is overbroad and unduly burdensome as to time, including to the extent it seeks information outside
26 the applicable statute of limitations. Google also objects to this Request to the extent it seeks
27 documents protected by the attorney-client privilege, work-product privilege, and/or other
28 applicable privileges.

1 Subject to the above objections, Google responds that it will not produce any documents in
2 response to this Request as currently presented but will consider a properly tailored request after the
3 parties have met and conferred to discuss this Request.

4 **REQUEST FOR PRODUCTION NO. 15:**

5 ALL marketing and business strategy documents, including marketing materials, analysis,
6 data insights, valuations, business cases, internal studies, and any other DOCUMENTS
7 CONCERNING the value to YOU of PERSONAL INFORMATION data collected by YOU from
8 the SUBJECT WEBSITES or other sources during the CLASS PERIOD.

9 **RESPONSE TO REQUEST FOR PRODUCTION NO. 15:**

10 Google incorporates its general responses and objections set forth above. Google further
11 objects to this Request on the grounds that: (i) it is vague and ambiguous as to the undefined terms
12 “marketing,” “business strategy,” “data insights,” “business cases,” “internal studies,” and
13 “concerning”; (ii) it seeks documents that are not relevant to any claims or defenses in this Action
14 and thus seeks documents outside the scope of permissible discovery, particularly insofar as it seeks
15 information related to purported benefits to Google whereas none of the statutes asserted in the
16 operative Complaint allow a disgorgement remedy; (iii) it is overbroad and unduly burdensome to
17 the extent it seeks “all” documents within an overbroad category of documents with no limitation
18 to the putative class members’ personal information or tax information; and (iv) it is overbroad and
19 unduly burdensome as to time, including to the extent it seeks information outside the applicable
20 statute of limitations. Google also objects to this Request to the extent it seeks documents protected
21 by the attorney-client privilege, work-product privilege, and/or other applicable privileges.

22 Subject to the above objections, Google will produce responsive, non-privileged documents
23 sufficient to show any revenue earned based on any tax information that may have been collected
24 through the Tax Websites’ use of Google Analytics, to the extent any such documents exist and can
25 be located in the course of a reasonable search.

26 **REQUEST FOR PRODUCTION NO. 16:**

27 All logs of PLAINTIFFS’ data collected by GOOGLE or any third party, including types of
28 data, volumes of data, and specific user activity records.

RESPONSE TO REQUEST FOR PRODUCTION NO. 16:

Google incorporates its general responses and objections set forth above. Google further objects to this Request on the grounds that (i) it is vague and ambiguous as to the undefined terms “logs,” “data,” “volumes,” and “user activity records”; (ii) it seeks data that are not relevant to any claims or defenses in this Action and thus seeks information outside the scope of permissible discovery; (iii) it is unduly burdensome, overbroad, and disproportionate to the needs of the Action to the extent that it seeks information in Plaintiffs’ possession, that is publicly available, or that is otherwise obtainable from some other source that is more convenient, less burdensome, or less expensive; (iv) it is overbroad and unduly burdensome to the extent it seeks “all” data without limitation to the Tax Websites or type of tax information at issue in the Complaint; (v) it is overbroad and unduly burdensome as to time, including to the extent it seeks information outside the applicable statutes of limitations; and (vi) it seeks data that is in the possession of third parties or is otherwise not in Google’s possession, custody, or control. Google also objects to this Request to the extent it seeks documents protected by the attorney-client privilege, work-product privilege, and/or other applicable privileges.

Subject to the above objections, Google responds that it will not produce any documents in response to this Request as currently presented but will consider a properly tailored request after the parties have met and conferred to discuss this Request.

REQUEST FOR PRODUCTION NO. 17:

All DOCUMENTS and COMMUNICATIONS CONCERNING how YOU collect and collected WEBSITE VISITOR DATA during the CLASS PERIOD.

RESPONSE TO REQUEST FOR PRODUCTION NO. 17:

Google incorporates its general responses and objections set forth above. Google further objects to this Request on the grounds that (i) it is vague and ambiguous as to the undefined terms “concerning,” and “collect”; (ii) it is unduly burdensome, overbroad, and disproportionate to the needs of the Action because it seeks documents and information relating to data that is not at issue in this case; (iii) it is unduly burdensome, overbroad, and disproportionate to the needs of the Action to the extent that it seeks information that is publicly available; (iv) it is overbroad and unduly

1 burdensome as to time, including to the extent it seeks information outside the applicable statutes
2 of limitations; and (v) it fails to identify the category of documents requested with reasonable
3 particularity. Google also objects to this Request to the extent it seeks documents protected by the
4 attorney-client privilege, work-product privilege, and/or other applicable privileges.

5 Subject to the above objections, Google will produce responsive, non-privileged documents
6 sufficient to show the functionality of Google Analytics during the relevant time period as it relates
7 to the claims asserted in the operative Complaint.

8 **REQUEST FOR PRODUCTION NO. 18:**

9 All DOCUMENTS and COMMUNICATIONS CONCERNING how YOU process and
10 processed WEBSITE VISITOR DATA during the CLASS PERIOD.

11 **RESPONSE TO REQUEST FOR PRODUCTION NO. 18:**

12 Google incorporates its general responses and objections set forth above. Google further
13 objects to this Request on the grounds that (i) it is vague and ambiguous as to the undefined terms
14 “concerning,” and “process”; (ii) it is unduly burdensome, overbroad, and disproportionate to the
15 needs of the Action because it seeks documents and information relating to data that is not at issue
16 in this Action, particularly insofar as the claims in the operative Complaint concern only
17 interception; (iii) it is unduly burdensome, overbroad, and disproportionate to the needs of the
18 Action to the extent that it seeks information that is publicly available; (iv) it is overbroad and
19 unduly burdensome as to time, including to the extent it seeks information outside the applicable
20 statutes of limitations; and (v) it fails to identify the category of documents requested with
21 reasonable particularity. Google also objects to this Request to the extent it seeks documents
22 protected by the attorney-client privilege, work-product privilege, and/or other applicable
23 privileges.

24 Subject to the above objections, Google will produce responsive, non-privileged documents
25 sufficient to show the functionality of Google Analytics during the relevant time period as it relates
26 to the claims asserted in the operative Complaint.

1 **REQUEST FOR PRODUCTION NO. 19:**

2 All DOCUMENTS and COMMUNICATIONS CONCERNING how YOU store and stored
3 WEBSITE VISITOR DATA during the CLASS PERIOD.

4 **RESPONSE TO REQUEST FOR PRODUCTION NO. 19:**

5 Google incorporates its general responses and objections set forth above. Google further
6 objects to this Request on the grounds that (i) it is vague and ambiguous as to the undefined terms
7 “concerning,” and “store”; (ii) it is unduly burdensome, overbroad, and disproportionate to the needs
8 of the case because it seeks documents and information relating to data that is not at issue in this
9 case, particularly insofar as the claims in the operative Complaint concern only interception; (iii) it
10 is unduly burdensome, overbroad, and disproportionate to the needs of the Action to the extent that
11 it seeks information that is publicly available; (iv) it is overbroad and unduly burdensome as to time,
12 including to the extent it seeks information outside the applicable statutes of limitations; and (v) it
13 fails to identify the category of documents requested with reasonable particularity. Google also
14 objects to this Request to the extent it seeks documents protected by the attorney-client privilege,
15 work-product privilege, and/or other applicable privileges.

16 Subject to the above objections, Google will produce responsive, non-privileged documents
17 sufficient to show the functionality of Google Analytics during the relevant time period as it relates
18 to the claims asserted in the operative Complaint.

19 **REQUEST FOR PRODUCTION NO. 20:**

20 ALL DOCUMENTS and COMMUNICATOINS [sic] CONCERNING YOUR data
21 retention policies related and/or applied to the WEBSITE VISITOR DATA during the CLASS
22 PERIOD, including but not limited to the types of data retained, the scope of the retention, the
23 duration for such retention and the rationale(s) for such duration.

24 **RESPONSE TO REQUEST FOR PRODUCTION NO. 20:**

25 Google incorporates its general responses and objections set forth above. Google further
26 objects to this request on the grounds that (i) it is vague and ambiguous as to the undefined terms
27 “concerning” and “data retention”; (ii) it is unduly burdensome, overbroad, and disproportionate to
28 the needs of the case because it seeks documents and information relating to data that is not at issue

1 in this case, particularly insofar as the claims in the operative Complaint concern only interception;
2 (iii) it is unduly burdensome, overbroad, and disproportionate to the needs of the Action to the extent
3 that it seeks information that is publicly available; (iv) it is unduly burdensome and overbroad to
4 the extent it seeks “all” documents within an overbroad category, without regard to the relevance of
5 the data; (v) it is unduly burdensome and overbroad as to time, including to the extent it seeks
6 information outside the applicable statute of limitations; and (vi) it seeks documents and information
7 in the custody, possession, and control of third parties. Google also objects to this Request to the
8 extent it seeks documents protected by the attorney-client privilege, work-product privilege, and/or
9 other applicable privileges.

10 Subject to the above objections, Google will produce responsive, non-privileged documents
11 sufficient to show the functionality of Google Analytics during the relevant time period as it relates
12 to the claims asserted in the operative Complaint.

13 **REQUEST FOR PRODUCTION NO. 21:**

14 All DOCUMENTS and COMMUNICATIONS CONCERNING how YOU use and used
15 WEBSITE VISITOR DATA during the CLASS PERIOD.

16 **RESPONSE TO REQUEST FOR PRODUCTION NO. 21:**

17 Google incorporates its general responses and objections set forth above. Google further
18 objects to this Request on the grounds that (i) it is vague and ambiguous as to the undefined terms
19 “concerning,” and “use”; (ii) it is unduly burdensome, overbroad, and disproportionate to the needs
20 of the Action because it seeks documents and information relating to data that is not at issue in this
21 case, particularly insofar as the claims in the operative Complaint concern only interception; (iii) it
22 is unduly burdensome, overbroad, and disproportionate to the needs of the Action to the extent that
23 it seeks information that is publicly available; (iv) it is overbroad and unduly burdensome as to time,
24 including to the extent it seeks information outside the applicable statutes of limitations; and (v) it
25 fails to identify the category of documents requested with reasonable particularity. Google also
26 objects to this Request to the extent it seeks documents protected by the attorney-client privilege,
27 work-product privilege, and/or other applicable privileges.

1 Subject to the above objections, Google will produce responsive, non-privileged documents
2 sufficient to show the functionality of Google Analytics during the relevant time period as it relates
3 to the claims asserted in the operative Complaint.

4 **REQUEST FOR PRODUCTION NO. 22:**

5 All DOCUMENTS demonstrating compliance with data protection regulations and industry
6 best practices during the CLASS PERIOD, including internal audits, compliance reports, and
7 communications regarding data handling practices.

8 **RESPONSE TO REQUEST FOR PRODUCTION NO. 22:**

9 Google incorporates its general responses and objections set forth above. Google further
10 objects to this Request on the grounds that (i) it is vague and ambiguous as to the undefined terms
11 “demonstrating,” “compliance,” “data protection regulations,” and “industry best practices”; (ii) it
12 seeks documents that are not relevant to any claims or defenses in this Action and thus seeks
13 documents outside the scope of permissible discovery; (iii) it is unduly burdensome, overbroad,
14 and disproportionate to the needs of the Action to the extent that it seeks information that is
15 publicly available or otherwise obtainable from some other source that is more convenient, less
16 burdensome, or less expensive; and (iv) it is overbroad and unduly burdensome as to time,
17 including to the extent it seeks information outside the applicable statutes of limitation. Google
18 also objects to this Request to the extent it seeks documents protected by the attorney-client
19 privilege, work-product privilege, and/or other applicable privileges.

20 Subject to the above objections, Google responds that it will not produce any documents in
21 response to this Request, as it is incomprehensible to Google as currently drafted. Google will
22 consider a properly tailored request after the parties have met and conferred to discuss this
23 Request.

24 **REQUEST FOR PRODUCTION NO. 23**

25 All DOCUMENTS and COMMUNICATIONS CONCERNING YOUR data sharing
26 practices with third parties during the CLASS PERIOD, including the nature and scope of such
27 data sharing.

RESPONSE TO REQUEST FOR PRODUCTION NO. 23:

Google incorporates its general responses and objections set forth above. Google further objects to this Request on the grounds that (i) it is vague and ambiguous as to the undefined terms “concerning” and “data sharing practices”; (ii) it seeks documents that are not relevant to any claims or defenses in this Action and thus seeks documents outside the scope of permissible discovery, in particular insofar as it seeks documents related to third-party sharing, which was not alleged to have occurred in the Complaint; (iii) it is unduly burdensome, overbroad, and disproportionate to the needs of the Action to the extent that it seeks information that is publicly available or otherwise obtainable from some other source that is more convenient, less burdensome, or less expensive; and (iv) it is overbroad and unduly burdensome as to time, including to the extent it seeks information outside the applicable statutes of limitation. Google also objects to this Request to the extent it seeks documents protected by the attorney-client privilege, work-product privilege, and/or other applicable privileges.

Subject to the above objections, Google will produce responsive, non-privileged documents sufficient to show the functionality of Google Analytics during the relevant time period as it relates to the claims asserted in the operative Complaint.

REQUEST FOR PRODUCTION NO. 24:

All DOCUMENTS and COMMUNICATIONS CONCERNING any data breaches, security incidents or unauthorized data access during the CLASS PERIOD involving GOOGLE TAG MANAGER, GOOGLE ANALYTICS, or any other related technologies on the SUBJECT WEBSITES, including any steps taken by YOU to address and mitigate the impact of any data breaches, security incidents or unauthorized data access.

RESPONSE TO REQUEST FOR PRODUCTION NO. 24:

Google incorporates its general responses and objections set forth above. Google further objects to this Request on the grounds that (i) it is vague and ambiguous as to the undefined terms “concerning,” “data breaches,” “security incidents,” “unauthorized data access,” and “related technologies”; (ii) it is unduly burdensome, overbroad, and disproportionate to the needs of the Action because it seeks information relating to Google Tag Manager, a technology that is wholly

1 different from Google Analytics and that is not implicated by the allegations in Plaintiffs'
2 Complaint; (iii) it seeks documents that are not relevant to any claims or defenses in this Action and
3 thus seeks documents outside the scope of permissible discovery; (iv) it is unduly burdensome,
4 overbroad, and disproportionate to the needs of the Action to the extent it seeks information in
5 Plaintiffs' possession, that is publicly available, or that is otherwise obtainable from some other
6 source that is more convenient, less burdensome, or less expensive; (v) it is unduly burdensome as
7 to time, including to the extent it seeks information outside the applicable statutes of limitations;
8 and (vi) it fails to identify the category of documents requested with reasonable particularity. Google
9 also objects to this Request to the extent it seeks documents protected by the attorney-client
10 privilege, work-product privilege, and/or other applicable privileges.

11 Subject to the above objections, Google responds that it will not produce any documents in
12 response to this Request as currently presented but will consider a properly tailored request after the
13 parties have met and conferred to discuss this Request.

14 **REQUEST FOR PRODUCTION NO. 25:**

15 All DOCUMENTS and COMMUNICATIONS CONCERNING user complaints, inquiries,
16 or support requests concerning data privacy and security issues involving GOOGLE TAG
17 MANAGER, GOOGLE ANALYTICS, or any other related technologies on the SUBJECT
18 WEBSITES during the CLASS PERIOD, including but not limited to YOUR responses, internal
19 discussions, and/or policies or procedures for handling such complaints, inquiries, or support
20 requests.

21 **RESPONSE TO REQUEST FOR PRODUCTION NO. 25:**

22 Google incorporates its general responses and objections set forth above. Google further
23 objects to this Request on the grounds that (i) it is vague and ambiguous as to the undefined terms
24 “user,” “inquiries,” “concerning,” “data privacy,” “security issues,” and “related technologies”; (ii)
25 it is unduly burdensome, overbroad, and disproportionate to the needs of the Action because it seeks
26 information relating to Google Tag Manager, a technology that is wholly different from Google
27 Analytics and that is not implicated by the allegations in Plaintiffs’ Complaint; (iii) it seeks
28 documents that are not relevant to any claims or defenses in this Action and thus seeks documents

1 outside the scope of permissible discovery; (iv) it is unduly burdensome, overbroad, and
2 disproportionate to the needs of the Action to the extent it seeks information in Plaintiffs’
3 possession, that is publicly available, or that is otherwise obtainable from from some other source
4 that is more convenient, less burdensome, or less expensive; (v) it is unduly burdensome as to time,
5 including to the extent it seeks information outside the applicable statutes of limitations; and (vi) it
6 fails to identify the category of documents requested with reasonable particularity. Google also
7 objects to this Request to the extent it seeks documents protected by the attorney-client privilege,
8 work-product privilege, and/or other applicable privileges.

9 Subject to the above objections, Google responds that it will not produce any documents in
10 response to this Request as currently presented but will consider a properly tailored request after the
11 parties have met and conferred to discuss this Request.

12 **REQUEST FOR PRODUCTION NO. 26:**

13 All DOCUMENTS and COMMUNICATIONS [sic] CONCERNING GOOGLE
14 ANALYTICS and GOOGLE TAG MANAGER user complaints and user support requests related
15 to data privacy and data security issues during the CLASS PERIOD, including but not limited to
16 YOUR responses to such requests and responses and your processes and policies for handling and
17 resolving such user complaints and user support requests.

18 **RESPONSE TO REQUEST FOR PRODUCTION NO. 26:**

19 Google incorporates its general responses and objections set forth above. Google further
20 objects to this Request on the grounds that (i) it is vague and ambiguous as to the undefined terms
21 “user complaints,” “user support requests,” “data privacy,” and “data security issues”; (ii) it is
22 duplicative of Plaintiffs’ Request for Production Set Two Request No. 25; (iii) it is unduly
23 burdensome, overbroad, and disproportionate to the needs of the Action because it seeks information
24 relating to Google Tag Manager, a technology that is wholly different from Google Analytics and
25 that is not implicated by the allegations in Plaintiffs’ Complaint; (iv) it seeks documents that are not
26 relevant to any claims or defenses in this Action and thus seeks documents outside the scope of
27 permissible discovery; (v) it is unduly burdensome, overbroad, and disproportionate to the needs of
28 the Action to the extent it seeks information in Plaintiffs’ possession, that is publicly available, or

1 that is otherwise obtainable from from some other source that is more convenient, less burdensome,
2 or less expensive; and (vi) it is unduly burdensome as to time, including to the extent it seeks
3 information outside the applicable statutes of limitations. Google also objects to this Request to the
4 extent it seeks documents protected by the attorney-client privilege, work-product privilege, and/or
5 other applicable privileges.

6 Subject to the above objections, Google responds that it will not produce any documents in
7 response to this Request as currently presented but will consider a properly tailored request after the
8 parties have met and conferred to discuss this Request.

9 **REQUEST FOR PRODUCTION NO. 27:**

10 All DOCUMENTS and COMMUNICATIONS CONCERNING internal discussions
11 between YOUR employees regarding data privacy concerns, strategies, and the handling of data
12 containing PERSONAL INFORMATION, and/or WEBSITE VISITOR DATA, during the CLASS
13 PERIOD.

14 **RESPONSE TO REQUEST FOR PRODUCTION NO. 27:**

15 Google incorporates its general responses and objections set forth above. Google further
16 objects to this Request on the grounds that (i) it is vague and ambiguous as to the undefined terms
17 “concerning,” “data privacy concerns,” “strategies,” and “handling”; (ii) it is unduly burdensome,
18 overbroad, and disproportionate to the needs of the Action because it seeks documents and
19 information relating to data that is not at issue in this case; (iii) it seeks documents that are not
20 relevant to any claims or defenses in this Action and thus seeks documents outside the scope of
21 permissible discovery; and (iv) it is overbroad and unduly burdensome as to time, including to the
22 extent it seeks information outside the applicable statutes of limitation. Google also objects to this
23 Request to the extent it seeks documents protected by the attorney-client privilege, work-product
24 privilege, and/or other applicable privileges.

25 Subject to the above objections, Google responds that it will not produce any documents in
26 response to this Request as currently presented but will consider a properly tailored request after the
27 parties have met and conferred to discuss this Request.

1 **REQUEST FOR PRODUCTION NO. 28:**

2 All DOCUMENTS and COMMUNICATIONS CONCERNING any third-party audits,
3 assessments, or reviews conducted regarding YOUR data collection, processing, and storage
4 practices that were applied, or were supposed to be applied, to the SUBJECT WEBSITES or
5 WEBSITE VISITOR DATA during the CLASS PERIOD.

6 **RESPONSE TO REQUEST FOR PRODUCTION NO. 28:**

7 Google incorporates its general responses and objections set forth above. Google further
8 objects to this Request on the grounds that (i) it is vague and ambiguous as to the undefined terms
9 “concerning,” “third-party audits,” “assessments,” “reviews,” “data collection,” “processing,” and
10 “storage practices”; (ii) it is unduly burdensome, overbroad, and disproportionate to the needs of
11 the Action because it seeks documents and information relating to data that is not at issue in this
12 case, particularly insofar as the claims in the operative Complaint concern only interception; (iii) it
13 is unduly burdensome, overbroad, and disproportionate to the needs of the Action to the extent that
14 it seeks information that is publicly available, or otherwise obtainable from some other source
15 that is more convenient, less burdensome, or less expensive; and (iv) it is overbroad and unduly
16 burdensome as to time, including to the extent it seeks information outside the applicable statutes
17 of limitation. Google also objects to this Request to the extent it seeks documents protected by the
18 attorney-client privilege, work-product privilege, and/or other applicable privileges.

19 Subject to the above objections, Google responds that it will not produce any documents in
20 response to this Request as currently presented but will consider a properly tailored request after the
21 parties have met and conferred to discuss this Request.

22 **REQUEST FOR PRODUCTION NO. 29:**

23 All DOCUMENTS CONCERNING records of cookie consent mechanisms and user
24 agreements related to data collection on the SUBJECT WEBSITES during the CLASS PERIOD.

25 **RESPONSE TO REQUEST FOR PRODUCTION NO. 29:**

26 Google incorporates its general responses and objections set forth above. Google further
27 objects to this Request on the grounds that (i) it is vague and ambiguous as to the undefined terms
28 “concerning,” “cookie consent mechanisms,” “user agreements,” and “data collection”; (ii) it is

1 unduly burdensome, overbroad, and disproportionate to the needs of the Action because it seeks
2 documents and information relating to data and technology (i.e., cookies) that are not at issue in this
3 Action; (iii) it is unduly burdensome, overbroad, and disproportionate to the needs of the Action to
4 the extent that it seeks information that is publicly available, or otherwise obtainable from from
5 some other source that is more convenient, less burdensome, or less expensive; (iv) it is overbroad
6 and unduly burdensome as to time, including to the extent it seeks information outside the applicable
7 statutes of limitation; (v) it seeks data that is in the possession of third parties or is otherwise not in
8 Google's possession, custody, or control; and (vi) because it fails to identify the category of
9 documents requested with reasonable particularity. Google also objects to this Request to the extent
10 it seeks documents protected by the attorney-client privilege, work-product privilege, and/or other
11 applicable privileges.

12 Subject to the above objections, Google responds that it will not produce any documents in
13 response to this Request as currently presented but will consider a properly tailored request after the
14 parties have met and conferred to discuss this Request.

15 **REQUEST FOR PRODUCTION NO. 30:**

16 All DOCUMENTS and COMMUNICATIONS CONCERNING the data minimization
17 practices used by YOU during the CLASS PERIOD in relation to the WEBSITE VISITOR DATA,
18 including any policies, procedures, guidelines, or implementation of such practices.

19 **RESPONSE TO REQUEST FOR PRODUCTION NO. 30:**

20 Google incorporates its general responses and objections set forth above. Google further
21 objects to this Request on the grounds that (i) it is vague and ambiguous as to the undefined terms
22 "concerning" and "data minimization practices"; (ii) it is unduly burdensome, overbroad, and
23 disproportionate to the needs of the Action because it seeks documents and information relating to
24 data that is not at issue in this case, particularly insofar as the claims in the operative Complaint
25 concern only interception; (iii) it is unduly burdensome, overbroad, and disproportionate to the
26 needs of the Action to the extent that it seeks information that is publicly available; and (iv) it is
27 overbroad and unduly burdensome as to time, including to the extent it seeks information outside
28 the applicable statutes of limitations. Google also objects to this Request to the extent it seeks

1 documents protected by the attorney-client privilege, work-product privilege, and/or other
2 applicable privileges.

3 Subject to the above objections, Google will produce responsive, non-privileged documents
4 sufficient to show the functionality of Google Analytics during the relevant time period as it relates
5 to the claims asserted in the operative Complaint.

6 **REQUEST FOR PRODUCTION NO. 31:**

7 All DOCUMENTS and COMMUNICATIONS CONCERNING the consent mechanisms
8 and opt-out options regarding data collection provided to the administrators or operators of the
9 SUBJECT WEBSITES using GOOGLE TAG MANAGER, GOOGLE ANALYTICS, or other
10 related technologies during the CLASS PERIOD.

11 **RESPONSE TO REQUEST FOR PRODUCTION NO. 31:**

12 Google incorporates its general responses and objections set forth above. Google further
13 objects to this Request on the grounds that (i) it is vague and ambiguous as to the undefined terms
14 “concerning,” “consent mechanisms,” “opt-out options,” “data collection,” “administrators,”
15 “operators,” and “related technologies”; (ii) it is unduly burdensome, overbroad, and
16 disproportionate to the needs of the Action because it seeks information relating to Google Tag
17 Manager, a technology that is wholly different from Google Analytics and that is not implicated by
18 the allegations in Plaintiffs’ Complaint; (iii) it is overbroad and unduly burdensome to the extent it
19 seeks “all” documents within an overbroad category of documents related to multiple websites,
20 without regard to the relevance of the data; (iv) it is unduly burdensome, overbroad, and
21 disproportionate to the needs of the Action to the extent it seeks information in Plaintiffs’
22 possession, that is publicly available, or that is otherwise obtainable from some other source
23 that is more convenient, less burdensome, or less expensive; (v) it is unduly burdensome as to time,
24 including to the extent it seeks information outside the applicable statutes of limitations; and (vi) it
25 fails to identify the category of documents with reasonable particularity. Google also objects to this
26 Request to the extent it seeks documents protected by the attorney-client privilege, work-product
27 privilege, and/or other applicable privileges.

1 Subject to the above objections, Google will produce responsive, non-privileged documents
 2 sufficient to show the functionality of Google Analytics during the relevant time period as it relates
 3 to the claims asserted in the operative Complaint.

4 **REQUEST FOR PRODUCTION NO. 32:**

5 All DOCUMENTS and COMMUNICATIONS CONCERNING the consent mechanisms
 6 and opt-out options regarding data collection presented to website visitors on the SUBJECT
 7 WEBSITES during the CLASS PERIOD, including but not limited to any records of how these
 8 mechanisms were implemented and any analysis of their effectiveness.

9 **RESPONSE TO REQUEST FOR PRODUCTION NO. 32:**

10 Google incorporates its general responses and objections set forth above. Google further
 11 objects to this Request on the grounds that (i) it is vague and ambiguous as to the undefined terms
 12 “concerning,” “consent mechanisms,” “opt-out options,” “data collection,” and “effectiveness”; (ii)
 13 it is unduly burdensome, overbroad, and disproportionate to the needs of the Action because it seeks
 14 documents and information relating to data that is not at issue in this Action; (iii) it is unduly
 15 burdensome, overbroad, and disproportionate to the needs of the Action to the extent it seeks
 16 information in Plaintiffs’ possession or that is publicly available; (iv) it seeks documents that are in
 17 the possession of third parties or are otherwise not in Google’s possession, custody, or control; and
 18 (v) it is unduly burdensome as to time, including to the extent it seeks information outside the
 19 applicable statutes of limitations. Google also objects to this Request to the extent it seeks
 20 documents protected by the attorney-client privilege, work-product privilege, and/or other
 21 applicable privileges.

22 Subject to the above objections, Google responds that it will not produce any documents in
 23 response to this Request as currently presented but will consider a properly tailored request after the
 24 parties have met and conferred to discuss this Request.

25 **REQUEST FOR PRODUCTION NO. 33:**

26 All DOCUMENTS and COMMUNICATIONS CONCERNING the anonymization of
 27 WEBSITE VISITOR DATA during the CLASS PERIOD, including but not limited to the
 28 effectiveness of the anonymization and YOUR compliance with applicable laws.

RESPONSE TO REQUEST FOR PRODUCTION NO. 33:

Google incorporates its general responses and objections set forth above. Google further objects to this Request on the grounds that: (i) it is vague and ambiguous as to the undefined terms “concerning,” “anonymization,” “compliance,” and “applicable laws”; (ii) it calls for legal analysis or legal conclusions; (iii) it is unduly burdensome, overbroad, and disproportionate to the needs of the Action because it seeks documents and information relating to data that is not at issue in this Action, particularly insofar as the claims in the operative Complaint concern only interception; and (iv) it is unduly burdensome as to time, including to the extent it seeks information outside the applicable statutes of limitations. Google also objects to this Request to the extent it seeks documents protected by the attorney-client privilege, work-product privilege, and/or other applicable privileges.

Subject to the above objections, Google will produce responsive, non-privileged documents sufficient to show the functionality of Google Analytics during the relevant time period as it relates to the claims asserted in the operative Complaint.

REQUEST FOR PRODUCTION NO. 34

All DOCUMENTS and COMMUNICATIONS CONCERNING any Data Processing Agreements (“DPAs”) or other contractual agreements with third parties relating to the processing of WEBSITE VISITOR DATA collected through GOOGLE ANALYTICS, GOOGLE TAG MANAGER, or other related technologies.

RESPONSE TO REQUEST FOR PRODUCTION NO. 34:

Google incorporates its general responses and objections set forth above. Google further objects to this Request on the grounds that (i) it is vague and ambiguous as to the undefined terms “concerning,” “Data Processing Agreements,” and “related technologies”; (ii) it is unduly burdensome, overbroad, and disproportionate to the needs of the Action because it seeks information relating to Google Tag Manager, a technology that is wholly different from Google Analytics and that is not implicated by the allegations in Plaintiffs’ Complaint; (iii) it is unduly burdensome, overbroad, and disproportionate to the needs of the Action because it seeks documents and information relating to data that is not at issue in this case, particularly insofar as the claims in the

operative Complaint concern only interception; (iv) it is overbroad and unduly burdensome to the extent it seeks “all” documents within an overbroad category of documents related to multiple websites, without regard to the relevance of the data; (v) it is unduly burdensome, overbroad, and disproportionate to the needs of the Action to the extent it seeks information in Plaintiffs’ possession, that is publicly available, or that is otherwise obtainable from some other source that is more convenient, less burdensome, or less expensive; (vi) it is unduly burdensome as to time, including to the extent it seeks information outside the applicable statutes of limitations; and (vii) it fails to identify the category of documents requested with reasonable particularity. Google also objects to this Request to the extent it seeks documents protected by the attorney-client privilege, work-product privilege, and/or other applicable privileges.

Subject to the above objections, Google will produce any relevant non-privileged processing agreements entered into between Google and the Tax Websites related to Google Analytics that can be located in the course of a reasonable search.

REQUEST FOR PRODUCTION NO. 35:

All DOCUMENTS and COMMUNICATIONS CONCERNING YOUR compliance with data protection laws (e.g., the European Union General Data Protection Regulation, the California Consumer Privacy Act) during the CLASS PERIOD.

RESPONSE TO REQUEST FOR PRODUCTION NO. 35:

Google incorporates its general responses and objections set forth above. Google further objects to this Request on the grounds that: (i) it is vague and ambiguous as to the undefined terms “concerning,” “compliance,” and “data protection laws”; (ii) it calls for legal analysis or legal conclusions; (iii) it seeks documents that are not relevant to any claims or defenses in this Action and thus seeks documents outside the scope of permissible discovery, as particularly illustrated by seeking documents related to foreign laws that are inapplicable to any class member; (iv) it is overbroad and unduly burdensome to the extent it seeks “all” documents discussing or referencing matters without regard to the relevance of the data; and (v) it is unduly burdensome as to time, including to the extent it seeks information outside the applicable statutes of limitations. Google

1 also objects to this Request to the extent it seeks documents protected by the attorney-client
2 privilege, work-product privilege, and/or other applicable privileges.

3 Subject to the above objections, Google responds that it will not produce any documents in
4 response to this Request.

5 **REQUEST FOR PRODUCTION NO. 36:**

6 All DOCUMENTS and COMMUNICATIONS CONCERNING YOUR use of algorithms,
7 artificial intelligence (“AI”) or automated decision-making processes in relation to WEBSITE
8 VISITOR DATA during the CLASS PERIOD, including but not limited to the development, testing,
9 implementation, and decisions regarding what data to collect, how to process it, and how to utilize
10 it.

11 **RESPONSE TO REQUEST FOR PRODUCTION NO. 36:**

12 Google incorporates its general responses and objections set forth above. Google further
13 objects to this Request on the grounds that: (i) it is vague and ambiguous as to the undefined terms
14 “concerning,” “algorithms,” “artificial intelligence,” and “automated decision-making processes”;
15 (ii) it seeks documents that are not relevant to any claim or defense in this Action and thus seeks
16 documents outside the scope of permissible discovery, particularly insofar as the claims in the
17 operative Complaint concern only interception; (iii) it is overbroad and unduly burdensome to the
18 extent it seeks “all” documents discussing or referencing matters without regard to the relevance of
19 the data; (iv) it is overbroad and unduly burdensome to the extent it seeks information that is publicly
20 available; and (v) it is overbroad and unduly burdensome as to time, including to the extent it seeks
21 information outside the applicable statutes of limitations. Google also objects to this Request to the
22 extent it seeks documents protected by the attorney-client privilege, work-product privilege, and/or
23 other applicable privileges.

24 Subject to the above objections, Google responds that it will not produce any documents in
25 response to this Request as currently presented but will consider a properly tailored request after the
26 parties have met and conferred to discuss this Request.

1 **REQUEST FOR PRODUCTION NO. 37:**

2 All reports, logs, and records CONCERNING data deletion requests during the CLASS
3 PERIOD related to WEBSITE VISITOR DATA, including summaries of the actions taken in
4 response to such requests.

5 **RESPONSE TO REQUEST FOR PRODUCTION NO. 37:**

6 Google incorporates its general responses and objections set forth above. Google further
7 objects to this Request on the grounds that (i) it is vague and ambiguous as to the undefined terms
8 “logs,” “concerning,” “data deletion requests,” and “summaries”; (ii) it seeks documents that are not
9 relevant to any claim or defense in this Action and thus seeks documents outside the scope of
10 permissible discovery, particularly insofar as the claims in the operative Complaint concern only
11 interception; (iii) it is unduly burdensome, overbroad, and disproportionate to the needs of the
12 Action because it seeks documents and information relating to data that is not at issue in this case
13 and that is not related to the putative class; (iv) it presupposes that Google received data deletion
14 requests related to the Tax Websites at issue in the Complaint; and (v) it is overbroad and unduly
15 burdensome as to time, including to the extent it seeks information outside the applicable statutes
16 of limitation. Google also objects to this Request to the extent it seeks documents protected by the
17 attorney-client privilege, work-product privilege, and/or other applicable privileges.

18 Subject to the above objections, Google responds that it will not produce any documents in
19 response to this Request as currently presented but will consider a properly tailored request after the
20 parties have met and conferred to discuss this Request.

21 **REQUEST FOR PRODUCTION NO. 38:**

22 All DOCUMENTS and COMMUNICATIONS CONCERNING the data collected through
23 any mobile applications or any other related technologies used by the SUBJECT WEBSITES during
24 the CLASS PERIOD, including but not limited to data collected through GOOGLE ANALYTICS,
25 GOOGLE ANALYTICS FOR FIREBASE, GOOGLE TAG MANAGER, or any other related
26 technologies.

RESPONSE TO REQUEST FOR PRODUCTION NO. 38:

Google incorporates its general responses and objections set forth above. Google further objects to this Request on the grounds that (i) it is vague and ambiguous as to the undefined terms “concerning,” “mobile applications” and “related technologies,” particularly insofar as these terms concern the use of unspecified applications and technologies by third parties; (ii) it is unduly burdensome, overbroad, and disproportionate to the needs of the Action because it seeks information relating to Google Tag Manager and Google Analytics for Firebase, technologies that are wholly different from Google Analytics and that are not implicated by the allegations in Plaintiffs’ Complaint; (iii) it seeks documents that are not relevant to any claims or defenses in this Action and thus seeks documents outside the scope of permissible discovery because the Complaint does not allege that putative class members or any named plaintiffs used mobile applications when filing their taxes through the Tax Websites; (iv) it is unduly burdensome, overbroad, and disproportionate to the needs of the Action to the extent it seeks information in Plaintiffs’ possession; (v) it is unduly burdensome as to time, including to the extent it seeks information outside the applicable statutes of limitations; and (vi) it fails to identify the category of documents requested with reasonable particularity. Google also objects to this Request to the extent it seeks documents protected by the attorney-client privilege, work-product privilege, and/or other applicable privileges.

Subject to the above objections, Google responds that it will not produce any documents in response to this Request as currently presented but will consider a properly tailored request after the parties have met and conferred to discuss this Request.

REQUEST FOR PRODUCTION NO. 39:

ALL DOCUMENTS and COMMUNICATIONS CONCERNING the implementation, configuration, and use of GOOGLE ANALYTICS, GOOGLE ANALYTICS FOR FIREBASE, GOOGLE TAG MANAGER, or any other related technologies in mobile applications and websites used by the SUBJECT WEBSITES during the CLASS PERIOD, including but not limited to JSON files, event tracking setups, and user engagement data.

RESPONSE TO REQUEST FOR PRODUCTION NO. 39:

Google incorporates its general responses and objections set forth above. Google further objects to this Request on the grounds that (i) it is vague and ambiguous as to the undefined terms “concerning,” “implementation,” “configuration,” “use,” “related technologies,” “mobile applications,” “event tracking setups,” and “user engagement data,” particularly insofar as these terms concern the use of unspecified applications and technologies by third parties; (ii) it is unduly burdensome, overbroad, and disproportionate to the needs of the Action because it seeks information relating to Google Tag Manager and Google Analytics for Firebase, technologies that are wholly different from Google Analytics and that are not implicated by the allegations in Plaintiffs’ Complaint; (iii) it seeks documents that are not relevant to any claims or defenses in this Action and thus seeks documents outside the scope of permissible discovery because the Complaint does not allege that putative class members or any named plaintiffs used mobile applications when filing their taxes through the Tax Websites; (iv) it is unduly burdensome, overbroad, and disproportionate to the needs of the Action to the extent it seeks information in Plaintiffs’ possession; (v) it is unduly burdensome as to time, including to the extent it seeks information outside the applicable statutes of limitations; and (vi) it fails to identify the category of documents requested with reasonable particularity. Google also objects to this Request to the extent it seeks documents protected by the attorney-client privilege, work-product privilege, and/or other applicable privileges.

Subject to the above objections, Google will produce relevant, non-privileged documents that are sufficient to show the configuration and implementation of Google Analytics on the Tax Websites, to the extent such documents exist within Google’s possession, custody, or control, and can be located in the course of a reasonable search.

1 Date: September 19, 2024

WILLKIE FARR & GALLAGHER LLP

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3 By: /s/ Benedict Y. Hur

4 Benedict Hur
5 Simona Agnolucci
6 Eduardo E. Santacana
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PROOF OF SERVICE

I am employed in the City and County of San Francisco, State of California. I am over the age of eighteen years and not a party to the within action. My business address is Willkie Farr & Gallagher LLP, 333 Bush Street, 34th Floor, San Francisco, CA 94104.

On September 19, 2024, I served the following document(s) on the individuals identified in the attached service list:

DEFENDANT GOOGLE LLC'S RESPONSES TO PLAINTIFFS' SECOND SET OF DOCUMENT REQUESTS

- ☒ **Via Electronic Mail** as a PDF file, by transmitting on this date via e-mail a true and correct copy scanned into an electronic file in Adobe "pdf" format. The transmission was reported as complete and without error.
- ☐ **Via US mail** by enclosing the documents in an envelope and placing the envelope for collection and mailing on the date and at the place from the included service list following our ordinary business practices. I am readily familiar with this business's practice for collecting and processing correspondence for mailing. On the same day that correspondence is placed for collection and mailing, it is deposited in the ordinary course of business with the United States Postal Service in a sealed envelope with postage fully prepaid.

I declare under penalty of perjury that the foregoing is true and correct. Executed on September 19, 2024 at San Francisco, California.

/s/ Anika Holland
Anika Holland

SERVICE LIST

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